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***The Pennsylvania School  
for the Deaf***

December 19, 2006

Letter of Appeal  
FCC  
Office of the Secretary  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Re: CC Docket Number: 02-6  
CC Docket Number: 96-45  
Applicant Name: Pennsylvania School for the Deaf  
Funding Year: 2005-2006  
Billed Entity Number: 20578  
Form 471 Application Number: 454956  
Form 486 Application Number: 350094  
Funding Request Number(s): 1360009, 1360010  
USAC Letter of Appeal Dated: November 06, 2006  
USAC Administrator's Decision on Appeal Dated: December 04, 2006

Dear Sir or Madam:

On behalf of the Pennsylvania School for the Deaf (PSD) I am filing an appeal to the USAC's December 4, 2006 decision to reject the appeal dated November 6, 2006. I am attaching the November 6, 2006 letter explaining PSD's situation. To further clarify PSD's position I wish to include the following:

- Funding Request Number 1360009; SPIN Number 143005440 (Verizon Internet Solutions). Originally I did not believe that PSD required a certified technology plan due to the nature of PSD's Charter. When I realized that this may not be the case, I had the plan certified to cover the period of the application 2004 through 2007. This was the plan that I included as part of the RFP and the Form 470 Application.
- Funding Request Number 1360010; SPIN Number 143004038 (Verizon Select Services). This SPIN covers the long distance services included in the original Form 470. Long distance services are included as a basic service and do not require a technology plan.
- When the Form 471 Application Number 454956 was originally approved, it included only SPIN Number 143001398 (Verizon Pennsylvania Inc.) which I was led to believe was for all the basic telephone services including the T-1 and long distance services. When Verizon informed me that I had to split the approval into 3 SPIN's, I applied for the above change to be approved including these additional SPINs

I hope the forgoing information and the attachments will help clarify our situation and that you will reverse the Administrator's Decision and approve our funding application.

If you require any additional information, please do not hesitate to contact me by phone or email.

Thank you for your consideration.

Sincerely,

Philip A. Shalanca

Business Consultant



Universal Service Administrative Company  
Schools & Libraries Division

**Administrator's Decision on Appeal- Funding Year 2005-2006**

December 04, 2006

Philip Shalanca  
Pennsylvania School For  
Deaf 100 West School  
House Lane Philadelphia,  
PA 19144-3404

Re: Applicant Name:	PENNSYLVANIA SCHOOL FOR
Billed Entity Number:	DEAF 20578
Form 471 Application	454956
Number:	486 Not Certified
Form 486 Application	1360009, 1360010
Number:	November
Funding Request	06,2006
Number(s):	
Your Correspondence	
Dated:	

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2005 Form 486 Certification Rejection Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

<u>Funding Request</u>	1360009,
<u>Number(s):</u>	1360010 <b>Denied</b>
Decision on Appeal:	
Explanation:	

- Upon thorough review of the appeal letter and relevant documentation, USAC has determined that the technology plan submitted which covers the period 2004 to 2007 was not approved by a USAC certified Technology Plan Approver prior to the receipt of services pursuant to the plan. On July 31, 2006, via email and fax, you were asked to provide copies of your Approval Letters. On August 1, 2006 you replied stating, "We do not have a Technology Plan Approval Letter since our technology plan is administered by PSD board." On appeal you provided an approval letter dated October 19, 2006; Technology plans must be approved prior to start of receipt of service for services other than basic telecommunications service. T-1, ISDN and Centrex lines are not considered basic service. Since this requirement was not been met, your appeal is denied.



If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, New Jersey 07981 Visit us online at:  
[www.sl.universalservice.org](http://www.sl.universalservice.org)



December 19, 2006

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***The Pennsylvania School  
for the Deaf***

December 19, 2006

Letter of Appeal  
Schools and Libraries Division – Correspondence Unit  
100 South Jefferson Road  
P.O. Box 902  
Whippany, NJ 07981

Re: Form 486 Rejection Letter (Funding Year 2005: 07/01/05 – 06/30/06) Dated October 30, 2006  
Form 486 Application Number 350094  
Applicant Form 486 Identifier: PSD 486 #2

Dear Sir or Madam:

On behalf of The Pennsylvania School for the Deaf I am filing an appeal to the Form 486 Rejection Letter dated October 30, 2006.

The Pennsylvania School for the Deaf's, BEN is 20578

The SPINs included in this application are:

143004038 Verizon Select Services

143005440 Verizon Internet Solutions

The portion of the Letter that I am appealing is "Program Rules requires a technology plan for services other than basic local and/or long distance phone service (wireline or wireless) and that the technology plan be approved by a USAC – certified Plan Advisor prior to the commencement of service. See 47 C.F.R. 54.504(c) (1). Program rules further require the technology plan –

- Be written prior to the posting of the FCC Form 470 and or the Request for Proposal (RFP),
- Contain the five required elements (Goals and Strategies, Budget, Needs Assessment, Professional Development, and Evaluation) or your plan can meet the standards of the Department of Education's Enhancing Education Through Technology (EETT), 20 U.S.C. 6764 as long as it is accompanied by a current operating budget,

- Be approved by a USAC – certified Technology Plan Approver prior to the receipt of services pursuant to the plan.”

My appeal is as follows:

1. I believed that all services applied for were “basic services” since we were requesting only services to be provided “up to the schools equipment”. All other operational pieces to the phones, long distance and the T1 to the internet were the school's equipment. Although we had a technology plan at the time the FCC form 470 was posted, I believed we did not need one.
2. SPIN 143004038 Verizon Select Services is for long distance services which I do not believe requires a technology plan.
3. SPIN 143005440 Verizon Internet Solutions is for a T1 connection up to the school's equipment. I did not believe a technology plan was required for the basic service.
4. Although we had a technology plan in place, The Pennsylvania School for the Deaf is a unique institution. It is a school established by the Pennsylvania Constitution and chartered by the Commonwealth. It is neither a public school nor an Approved Private School. I did not, however, understand that it was not enough to have the school's board approve our plan but required a USAC – Certified Technology Plan Approver to approve it. Subsequently, the plan that was in place at the time the FCC form 470 was posted was approved by the Association of Delaware Valley Independent Schools, a USAC – Certified Technology Plan Approver. I am including a copy of the approval letter and the technology plan.

I hope that the forgoing information will be sufficient for you to grant the Pennsylvania School for the Deaf's appeal. If you require any additional information, please feel free to contact me at the above listed telephone or fax numbers or via email. Thank you for your consideration.

Sincerely,

Philip A. Shalanca  
Business Consultant

Franklin D. Franus  
Business Manager  
Authorized Signature